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5 Attorneys for Defendant
AMERICAN HOME SHIELD CORPORATION

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10 Attorneys for Plaintiff
JAMES J. FITZGERALD

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 JAMES J. FITZGERALD,

14 Plaintiff,

15 v.

16 AMERICAN HOME SHIELD
17 CORPORATION, and DOES 1-10,
18 inclusive,

19 Defendants.

Case No. C 05 4382 CRB

**STIPULATION AND ORDER TO DISMISS
ENTIRE ACTION WITH PREJUDICE**

Judge: Hon. Charles R. Breyer

21 Following successful court-sanctioned mediation, Plaintiff James J. Fitzgerald and
22 Defendant American Home Shield Corporation, by and through their respective counsel of record,
23 have entered into a Settlement Agreement and Release of All Claims and hereby stipulate and
24 respectfully request, pursuant to Civil Local Rule of Court 7-12, an order dismissing with prejudice
25 the entire action filed by Plaintiff Fitzgerald in this matter against Defendant American Home Shield
26 Corporation and any affiliated subsidiaries and entities.

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STIPULATION AND ORDER TO DISMISS
ENTIRE ACTION WITH PREJUDICE

Case No. C 05 4328 CRB

1 Each party shall bear their own costs and fees for the claims and causes of action dismissed
2 by this Stipulation and Order. This Stipulation and Order disposes of this matter in its entirety.

3 Dated: May 18, 2006

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5 BRUCE C. YOUNG
6 LITTLER MENDELSON
7 Attorneys for Defendant

8 AMERICAN HOME SHIELD CORPORATION

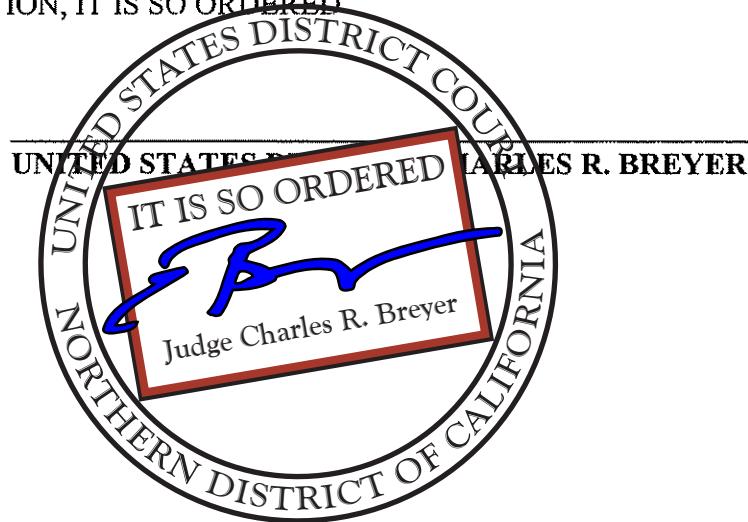
9 Dated: May 19, 2006

10 STEPHEN J. DUGGAN
11 LANAHAN & REILLEY LLP
12 Attorneys for Plaintiff

13 JAMES J. FITZGERALD

14 PURSUANT TO STIPULATION, IT IS SO ORDERED

15 Dated: May 24, 2006



27 Firmwide: 81117630 1 050490 1002

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29 STIPULATION AND ORDER TO DISMISS
30 ENTIRE ACTION WITH PREJUDICE

2.

Case No. C 05 4328 CRB